



Connecticut Council on Freedom of Information

Testimony before the Joint Committee on Appropriations on HB 5037

Michele Jacklin, Legislative Co-Chair, Connecticut Council on Freedom of Information,

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Good afternoon Sen. Osten, Rep. Walker, Sen. Miner, Rep. France and honorable members of the Appropriations Committee.

My name is Michele Jacklin, and I am legislative co-chair of the Connecticut Council on Freedom of Information (CCFOI). We are a 67-year-old organization comprised of CT news media outlets and First Amendment supporters. Our mission is to advocate and promote strong Freedom of Information laws and other measures that guarantee the rights and liberties of individuals and journalists under the First Amendment to the United States Constitution and the state Constitution.

I appreciate the opportunity to share CCFOI's views on mid-stream modifications to the Governor's Proposed Budget for the 2022-23 fiscal year, specifically with regard to the CT Freedom of Information Commission (FOIC).

As you are no doubt aware, the FOIC performs a valuable and vital public service. It ensures public access to communications, meetings and records. It settles disputes between public agencies and its citizens – both at the state and municipal levels -- over public information. And it resolves those issues administratively often saving the appropriate parties time and money.

Unfortunately, over the past decade, the FOIC has suffered steep budget and staffing cuts, impeding its ability to meet its statutory mandates. This year, the FOIC sought a small adjustment to its budget, which would allow the filling of a vacant position for a staff attorney. It has come to light that there is a funding discrepancy that CCFOI believes must be corrected.

In the Lamont administration's published budget book, the money to fill the vacant attorney's position is not included. However, approximately \$100,000 for the position is included as an FOIC line item in HB 5037. That money should stay. If it were to be removed in accordance with the Office of Policy and Management's recommendation, OPM would be violating state law, which guarantees the FOIC's budgetary independence.

The relevant statutory provision is as follows:

Sec. 1-205a. Recommended appropriations. Allotments. (a) *Notwithstanding any provision of the general statutes, the appropriations recommended for the Freedom of Information Commission shall be the estimates of expenditure requirements transmitted to the Secretary of the Office of Policy and Management by the executive director of the commission and the recommended adjustments and revisions of such estimates shall be the recommended adjustments and revisions, if any, transmitted by said executive director to the Office of Policy and Management.*

(b) *Notwithstanding any provision of the general statutes, the Governor shall not reduce allotment requisitions or allotments in force concerning the Freedom of Information Commission*

An independent and properly staffed Freedom of Information Commission is essential for the public good. CCFOI respectfully urges the Appropriations Committee to support the FOIC's requested budget for the 2022-23 fiscal year by including the money to hire a staff attorney.

Thank you.